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FAX TRANSMISSION

DATE: September 10, 2007

PTO IDENTIFIER: Application Number 10/567,746-Conf. #5502
Patent Number

Inventor: Lutz Freitag

MESSAGE TO: US Patent and Trademark Office

FAX NUMBER: (571) 273-8300

FROM: PATTON BOGGS LLP

Michele V. Frank

PHONE: (703) 744-8000

Attorney Dkt. #: 023189.0101P2US

PAGES (Including Cover Sheet): 14

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Response to Notification of Missing Requirements (4 pages)
Copy of Fee Transmittal dated February 10, 2006 (1 page)
Combined Declaration and Power of Attorney (4 pages)
Part 2 Copy of Notification (2 pages)
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Certificate of Transmission (1 page)

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014/014

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PTO/SB/97 (09-04)

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Application No. (if known): 10/587,746

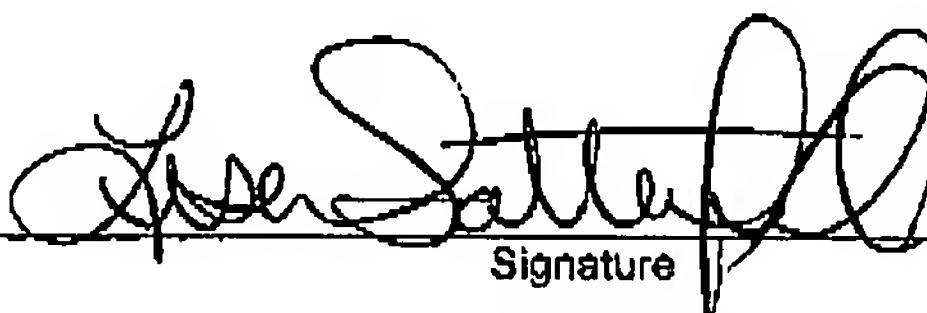
Attorney Docket No.: 023189.0101P2US

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Fee Transmittal (1 page)

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SEP 10 2007

Docket No.: 023189.0101P2US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Lutz Freitag

Application No.: 10/567,746

Confirmation No.: 5502

Filed: February 10, 2006

Art Unit: N/A

For: METHOD AND ARRANGEMENT FOR
RESPIRATORY SUPPORT FOR A PATIENT
AIRWAY PROSTHESIS AND CATHETER

Examiner: Not Yet Assigned

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C.
371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

MS Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notification Of Missing Requirements Under 35 U.S.C. 371 In The United States Designated/Elected Office (DO/EO/US) mailed July 11, 2007, Applicant respectfully submits a Combined Declaration and Power of Attorney and a copy of the Notification.

The Notification also indicates that additional claim fees of \$100.00 are due. Applicant paid for 15 total claims and 4 independent claims upon filing of the application. (See Fee Transmittal dated February 10, 2006.) In the Preliminary Amendment filed February 10, 2006, 15 claims are presented, of which 4 are independent claims (Claims 1, 4, 10 and 13). Multiple dependent claims were canceled in that Response.

It is respectfully submitted that no additional claim fees are due.

A clean set of claims is attached hereto as Attachment A.

Please charge our Credit Card in the amount of \$65.00 covering the fee set forth in 37 CFR 1.16(f). Credit Card Payment Form SB-2038, with a signature from an authorized cardholder, is enclosed. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to

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Docket No.: 023189.0101P2US

be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 50-2228, under Order No. 023189.0101P2US.

Dated: September 10, 2007

Respectfully submitted,


By _____

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Attorney for Applicant

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Application No.: 10/567,746

Docket No.: 023189.0101P2US

ATTACHMENT A

1. (Previously Presented) A process for respiratory support for a patient, wherein the patient's spontaneous respiration is recorded by sensors, and an additional quantity of oxygen is administered to the lung at the end of an inhalation process.
2. (Previously Presented) The process according to claim 1, wherein the oxygen quantity has a volume of 25 ml to 150 ml.
3. (Previously Presented) The process according claim 1, wherein the patient's exhalation process is slowed by a counter-flow.
4. (Previously Presented) An arrangement for respiratory support to a patient, including an oxygen pump to be connected to an oxygen supply, as well as an airway-prosthesis, to be connected via a catheter, wherein sensors are intended to record the patient's spontaneous respiration, same sensors being connected with a control unit to activate the oxygen pump, and the airway prosthesis possesses a tubular support body with a connector for the catheter, wherein two of the sensors are assigned to the support body.
5. (Previously Presented) The arrangement according to claim 4, in which a sensor is placed against the interior wall of the support body.
6. (Previously Presented) The arrangement according to claim 4, wherein the end of the catheter which is located within the support body is redirected so as to be approximately parallel to its longitudinal axis, as well as being provided with a jet nozzle at its end.
7. (Previously Presented) The arrangement according to claim 4 in which the oxygen pump consists of a piston pump.
8. (Previously Presented) The arrangement according to claim 4, in which the catheter is provided with a double lumen.
9. (Previously presented) The arrangement according to claim 4, wherein further respiratory sensors are intended in addition to the sensors.
10. (Previously presented) An airway prosthesis possessing a tubular support body with a connector for a jet catheter, wherein the support body includes at least two sensors.

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11. (Previously presented) The airway prosthesis according to claim 10, wherein a sensor is affixed to the internal wall of the support body.

12. (Previously presented) The airway prosthesis according to claim 10, wherein the catheter end within the support body is directed so as to be parallel to its longitudinal axis.

13. (Previously presented) A catheter as a tubular instrument to one of whose ends at least one sensor is affixed.

14. (Previously presented) The catheter according to claim 13 in which the end possesses a jet nozzle.

15. (Previously presented) The catheter according to claim 13, wherein the end is bent.

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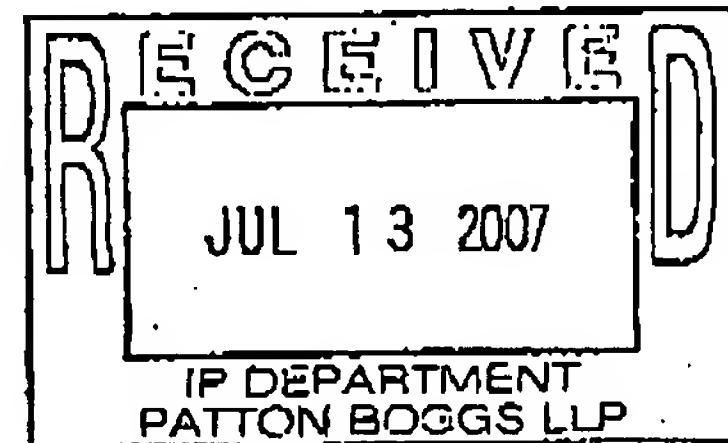
U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/567,746	Lutz Freitag	023189.0101P2US
INTERNATIONAL APPLICATION NO.		
PCT/DE04/01646		
I.A. FILING DATE		PRIORITY DATE
07/23/2004		08/11/2003
CONFIRMATION NO. 5502		
371 FORMALITIES LETTER		
 OC000000024756508		

Date Mailed: 07/11/2007

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 02/10/2006
- Copy of the International Search Report filed on 02/10/2006
- Preliminary Amendments filed on 02/10/2006
- Information Disclosure Statements filed on 02/10/2006
- U.S. Basic National Fees filed on 02/10/2006
- Priority Documents filed on 02/10/2006
- Specification filed on 02/10/2006
- Claims filed on 02/10/2006
- Abstracts filed on 02/10/2006
- Drawings filed on 02/10/2006



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Date 7/13/07

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$100 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

SUMMARY OF FEES DUE:

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Total additional fees required for this application is \$100 for a Small Entity:

- Total additional claim fee(s) for this application is \$ 100
 - \$100 for 2 independent claims over 3.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
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If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

PAULETTE R KIDWELL

Telephone: (703) 308-9140 EXT 216

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/567,746	PCT/DE04/01646	023189.0101P2US

FORM PCT/DQ/EQ/905 (371 Formalities Notice)